

Office of Professional Accountability (OPA)

Commendations & Complaints Report

October 2002

Commendations:

Commendations Received in October: 78

Commendations Received to Date: 1308

Rank	Summary
Officer	Thank you for finding the man that was sneaking around my house and took my keys
Officer	Thank you for saving my son from an attacker
Officer	King County Sheriff's Dept. awarded officer with Meritorious Service Award
6 Civilians	Commended for appearance and vehicle appearance during inspection
Captain	Thank you for helping us clean up Seattle's Waterfront area
Civilian	Thank you for letting me listen to you take 911 calls, very informative
Officer	Thank you for patrolling the stairway near my home, my children are much safer walking to school now
Officer	Thank you for your prompt response to the complaint about the transients sleeping on the stairway near my home in West Seattle
Sgt. & 2 Officers	Thanks for keeping composure arresting the 5 men who shot 4 people, killing two of them
Officer	Thank you for helping me when I ran out of gas in the International District
2 Sgts. & 7 Officers	Thank you for your great team work and following policy to the letter in this very serious incident
Captain	Thank you for serving as a content expert on "The Rob Nelson Show"
Officer	You have been so helpful to the Leschi neighborhood and the Arboretum
Sergeant	Thank you for meeting with the Ravenna Gardens neighbors about Husky traffic
Officer	Thank you for your outstanding assistance given to our son
2 Officers	Very impressed with your professionalism and investigation of robbery
3 Officers	Great job arresting 2 suspects and seizing \$5,640 and 123.7 grams of marijuana
2 Officers	Appreciate officers' professionalism
Officer	Thank you for your professionalism and investigation of road rage incident
Lieutenant	We value your partnership with our community, you have improved the quality of our neighborhood
5 Officers	Thanks for the great investigation, team work, and extra effort on the robbery investigation
6 Officers	Outstanding work on armed robbery investigation, apprehending suspect and getting a full confession
Officer	Very positive attitude while working the front desk at the new Seattle Justice Center
Officer	Congratulations on receiving the "Most Inspirational" Award, you deserve it
Captain	My neighbors and I are very appreciative of your efforts in our neighborhood, police presence has really made a difference
Civilian	Good job securing the safety of the children at the homicide in Lake City
4 Civilians	Great job on the awards banquet; it was wonderful
4 Civilians	The Awards Banquet was amazing; it far exceeded my expectations
Lt. & Sgt.	Thanks for your assistance with the homicide in Lake City

Officer	Great write up about you in the Asian Weekly; your mentor program for the youth is great
4 Lt.'s & 5 Sgt.'s	Thank you for you diligent, conscientious work performed with the examination development process for the rank of Sergeant
2 Officers	Thank you for the excellent instruction on Cold Case Investigation and DNA Training
Sgt. & Detective	Thanks to the two kind and helpful officers that that responded to my car prowler call

OCTOBER 2002 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

UNNECESSARY FORCE

Synopsis	Action Taken
Complainants alleged named officers, while investigating a disturbance/assault incident, forced their hands onto the hoods of the patrol cars, pushed, then pepper sprayed one of the subjects and threw him to the ground.	Full investigation showed that the force reported by the named officers as that which they used during this incident was relatively consistent with that which the complainants and subject reported. Finding – NOT SUSTAINED on the officer who initiated force, as there was conflicting testimony regarding whether force was necessary. Additional officers who assisted with restraint of resisting subject were EXONERATED.
Complainant alleged the named officer, while in the process of arresting her son, punched her on the right side of her chest.	Full investigation concluded that the named officer did use force to push the complainant off of another officer's back while that officer was trying to control the violently resisting son of the complainant, and that the force used was an open-handed push. The force was determined to be reasonably necessary and was properly reported, screened and documented. Finding – EXONERATED.
Complainant alleges the named officer used excessive force when she placed and used her Taser on the subject's back in order to take control of the subject.	The subject refused to comply with repeated orders of officers and mental health professionals to release her grip on a bedpost. SPD Officer's were attempting to assist mental health professionals in relocating the complainant consistent with a commitment order. The named officer used her Taser as a less-injury-prone form of force to gain control of the subject. It was determined that the

	force used and reported was reasonably necessary and was properly screened and documented by a supervisor. Finding – EXONERATED.
Complainant alleged the named officer rode his bicycle onto the sidewalk during a demonstration, grabbed the subject and threw him against a wall and to the ground.	Full investigation showed the evidence was inconclusive regarding the degree of force employed. The force described by the named officer differed from that described by the complainant witness. Finding – NOT SUSTAINED.
Complainant alleged the named officer tackled him, grabbed him by the hair, and forced his face onto the pavement during his arrest for felony theft.	Investigation, including corroboration by witnesses, revealed that injuries complainant sustained had been caused by the victim of his crime. Findings – EXONERATED for one of the named officers and UNFOUNDED for the other.

CUBO (PROFANITY)

Synopsis	Action Taken
Complainants allege that one of the named officers used profanity when he addressed them and told them to stand back.	Evidence obtained in investigation was fairly evenly split between those who said he used profanity and those who stated he did not. Named officer was not employed by SPD when the complaint was initiated. Finding – NOT SUSTAINED.

DEROGATORY LANGUAGE

Synopsis	Action Taken
Complainant alleged the named officer used profanity that included a reference to race in the midst of a disturbance and arrest.	The named officer admitted the profanity but denied using any race-based language. A witness officer of color also testified that no racial language was used. Finding – UNFOUNDED.

CONDUCT UNBECOMING AN OFFICER

Synopsis	Action Taken
Complainant alleged the named officer took too	Investigation showed that the named officer and fellow officers took immediate steps to

long getting medical aid for the subject.	summon SFD medics to the scene. Finding – EXONERATED.
Complainant alleged an officer made inappropriate remarks about his sexual orientation during transport to jail.	Investigation showed remarks were made. Finding-Converted to Supervisory Review for resolution.

FAILURE TO COOPERATE – DEPARTMENTAL INVESTIGATION

Synopsis	Action Taken
During a departmental investigation into alleged misconduct, the named officer said that he did not remember the names of any of the other officers that he was working with.	Procedural problems with the allegation and its investigation affected the due process rights of the named employee. Finding – NOT SUSTAINED.

MISUSE OF AUTHORITY

Synopsis	Action Taken
Complainant alleged that the named officer contacted him in the capacity of a Private Investigator.	Investigation showed the officer was not employed as a Private Investigator when she became involved in a custody dispute. However, the circumstances had the potential to mislead citizens. Finding-Converted to Supervisory Review for resolution.

Definitions of Findings:

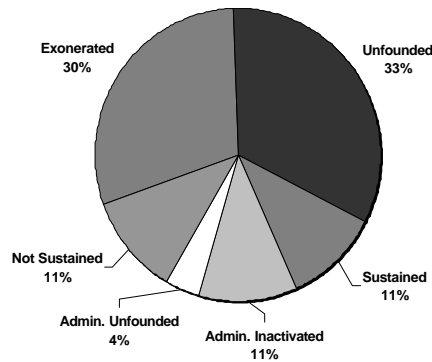
- **Sustained:** The allegation of misconduct is supported by the evidence.
- **Not Sustained:** The evidence neither proves nor disproves the allegation of misconduct.
- **Exonerated:** The event described did occur, and the actions taken by the officer(s) were lawful and proper.
- **Unfounded:** The allegation of misconduct did not occur as described.
- **Administratively Unfounded or Administratively Inactivated:** The case has a fundamental legal or procedural defect or the involved personnel cannot be identified. Inactivated cases may be re-opened if new information is received.

Status of OPA Contacts to Date:

2001 Contacts

Contact Logs	626
Cases Assigned for Investigation (OPA; LI)	263
Cases Closed Through September 30, 2002	225
Cases with a Sustained Allegation	29 (13%)

CHART A
Dispositions of Allegations in Completed Investigations
2001 Cases
N = 266 Allegations in 225 cases

**2002 Contacts**

	October 2002	Jan. - Oct. 2002
Contact Logs	50	486
Cases Assigned for Supervisory Review	6	91
Cases Assigned for Investigation (OPA; LI)	21	175
Cases Closed	12	50
Cases with a Sustained Allegation	3 (25%)	9 (18%)
Commendations	78	1,308

CHART B
Dispositions of Allegations in Completed Investigations
2002 Cases
N = 87 Allegations in 50 cases

